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August 9, 2006

**MEMORANDUM**

**TO:** Legislative Education Study Committee

**FR:** Frances R. Maestas

**RE: STAFF BRIEF: EVALUATION AND SALARIES OF SCHOOL PRINCIPALS**

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The 2006 Interim Workplan of the Legislative Education Study Committee (LESC) includes a discussion on the implementation of minimum annual salaries for school principals and assistant principals and on the design of a new evaluation component for school principals that reflects the roles and responsibilities of these school personnel in school districts statewide.

**Implementation of Minimum Salary Levels:**

- In 2003, as part of the public school reforms, the Legislature implemented minimum annual salaries for Level 3-B school principals effective in school year 2005-2006. Based on school size, the salary minimums ranged from \$58,000 for principals in schools with 200 or fewer students to \$68,000 for principals in schools with more than 1,000 students. However, concerns among educators and policymakers over tying the salary minimums to the size of the school led the LESC to include this topic in its 2004 workplan and to establish a work group to examine current law and to develop recommendations for consideration of the LESC prior to the 2005 legislative session (see Background section).
- In 2005, the LESC endorsed legislation to implement a two-year phase-in of minimum annual salaries for school principals, including assistant principals, based upon a responsibility factor by school level which would have become effective in school year

- 2006-2007. The legislation also included a provision to require the Public Education Department (PED) to adopt an evaluation component and rules for the implementation of these minimum annual salaries. This legislation did not pass; instead, legislation was enacted to delay the implementation of the minimum salaries until school year 2007-2008 (see Attachment).
- In 2006, the LESC endorsed legislation similar to the failed legislation from 2005, but the legislation did not pass.
- To continue the discussion, LESC staff has developed two scenarios of preliminary cost estimates for school year 2007-2008: (1) based on school size in current law and (2) based on the responsibility factor of the 2006 failed legislation. Both cost estimates assume a 3.0 percent average salary increase for school principals and assistant principals statewide in school year 2006-2007, with the exception of Albuquerque Public Schools (APS). The APS data was adjusted to reflect a 5.0 percent salary increase in school year 2006-2007 for all school principals, plus an additional increase of \$1,000 for elementary principals, \$1,200 for middle school principals, \$500 for high school principals, and \$400 for assistant principals at all levels.
  1. Based on school size, approximately \$744,000 would be required in FY 08 to provide school principals with minimum salaries. An additional \$3.6 million, or a total of \$4.3 million would be required to include and provide assistant principals with the **same** salary minimums. However, current law would need to be amended to include assistant principals in the salary minimums based on school size.
  2. Based on a responsibility factor by school level, approximately \$2.4 million for school principals and \$1.8 million for assistant principals, or a total of \$4.2 million, would be required in FY 08 to provide the salary minimums that were proposed in the 2006 failed legislation.

#### **Evaluation Component:**

- To address the increased role and responsibility of a school principal in evaluating and developing teachers and to improve student performance, PED has entered into a contract with the Center for Border Indigenous Educational Leadership (CeBIEL), New Mexico State University, to begin the design of a new evaluation system for school principals that addresses the differences in the administrative roles and responsibilities of school principals in districts statewide and supports student learning.
- According to PED, using \$150,000 from the Teacher Professional Development Fund and an additional \$60,000 from a Wallace Foundation Grant to the Office of Education Accountability, CeBIEL facilitated a 2006 interim work group that examined the current competencies, roles, and responsibilities of school principals.
- The work group, however, did not specifically discuss the recommendations of the LESC 2004 interim work group that led to LESC-endorsed legislation to base minimum annual salaries for school principals and assistant principals on a responsibility factor by school level.

- PED reports that if the legislation to base salary minimums for principals on school-level responsibilities is enacted, the department will move quickly to incorporate these factors into the design of a new evaluation system for principals.

### **Background:**

- In 2004, the LESC established an interim work group to examine current law and to develop recommendations for consideration by the LESC prior to the 2005 legislative session. The work group was comprised of staff from the LESC, the Legislative Finance Committee, and PED; and representatives from school principals, superintendents, school district finance and human resources personnel, the New Mexico Coalition of School Administrators, and the New Mexico School Boards Association. Representatives responsible for educational leadership programs in the state's postsecondary institutions were also invited to attend the work group's meetings to participate in the work group discussions.
- According to their testimony, the members of the work group concluded that:
  - salary minimums based solely on school size do not consider the varying roles and responsibilities of school principals according to the level of the school (elementary, middle/junior, or high school);
  - such factors as the complexity of instruction, the number and kind of after-school events, and the community expectations should be considered in a principal's salary;
  - assistant principals should be included in the minimum salary requirements; and
  - the minimum salary of a school principal and assistant principal in a school district should not be less than the minimum salary required for a Level 3-A teacher.
- The work group recommendations included amending the *School Personnel Act* to:
  - require a minimum salary for principals and assistant principals that is at least equal to the minimum salary required for a Level 3-A teacher multiplied by a "responsibility factor";
  - define "responsibility factor" as a value (number) by school level (elementary, middle/junior high, and high school) for school principals and assistant principals; and
  - require that the minimum annual salary of a school principal and assistant principal be at least equal to the minimum salary of a Level 3-A teacher multiplied by the school level responsibility factor.
- Based on a \$50,000 minimum annual salary of a Level 3-A teacher, the salary minimums based on a responsibility factor by school level would be:
  - \$60,000 for an elementary school principal;
  - \$70,000 for a middle/junior high school principal;
  - \$80,000 for a high school principal;
  - \$55,000 for an elementary assistant school principal;
  - \$57,500 for a middle/junior high assistant principal; and
  - \$62,500 for a high school assistant principal.

**Presenters:**

For this presentation, Dr. Catherine Cross Maple, Deputy Secretary, Learning & Accountability, PED; Dr. MaLu González, Contractor, Regents Professor, and Executive Director, CeBIEL; and Ms. Joyce Aranda, Principal, Oñate High School, Las Cruces Public Schools, will discuss the design of a new evaluation system for school principals.

Mr. Tom Sullivan, Executive Director, New Mexico Coalition of School Administrators, will address the discussions of the Albuquerque Principals' and State Elementary Principals' associations for providing minimum salaries for school principals and assistant principals based on a responsibility factor by school level.

**Questions the committee may wish to consider:**

1. How does the current average salary of a principal and assistant principal in New Mexico compare to similar salaries in the region?
2. What were some of the concerns of educators concerned for providing the salary minimums for school principals based on school size?
3. What are some of the concerns, if any, of providing salary minimums for school principals based on a responsibility factor by school level?
4. What are the concerns, if any, of excluding assistant principals from this salary mandate?
5. What were the results of PED's and CeBIEL's examination of current competencies, roles and responsibilities of school principals in school districts statewide?
6. How will school principals and assistant principals be involved in the design and development of a new evaluation system?
7. What is the target date for development of a new evaluation system for school principals and the adoption of a new PED rule?
8. What is the contract period for CeBIEL to design a new evaluation component for school principals?
9. What funds will PED use to negotiate a contract with CeBIEL beyond the current contract period?

~~History: 1978 Comp., § 22-10A-9, enacted by Laws 2003, ch. 153, § 40; 2005, ch. 315, § 6; 2005, ch. 316, § 3.~~

~~Cross references. — For references to the former commission on higher education, see 9-25-4.1 NMSA 1978.~~

~~For the public education department, see 9-24-4 NMSA 1978.~~

~~2005 amendments. — Laws 2005, ch. 315, § 6 and Laws 2005, ch. 316, § 3 enact identical amendments, effective April 7, 2005, that provide in Subsection C(4) that the framework shall include evaluation during at least the first three years of teaching.~~

### **22-10A-10. Level two licensure.**

~~A. A level two license is a nine-year license granted to a teacher who meets the qualifications for that level and who annually demonstrates essential competency to teach. If a level two teacher does not demonstrate essential competency in a given school year, the school district shall provide the teacher with additional professional development and peer intervention during the following school year. If by the end of that school year the teacher fails to demonstrate essential competency, a school district may choose not to contract with the teacher to teach in the classroom.~~

~~B. The department shall issue a level two license to an applicant who successfully completes the level one license or is granted reciprocity as provided by department rules; demonstrates essential competency required by the department as verified by the local superintendent through the highly objective uniform statewide standard of evaluation; and meets other qualifications as required by the department.~~

~~C. The department shall provide for qualifications for specific grade levels, types and subject areas of level two licensure, including early childhood, elementary, middle, secondary, special education and vocational education.~~

~~D. With the adoption by the department of the statewide objective performance evaluation for level two teachers, the minimum salary for a level two teacher for a standard nine and one-half month contract shall be as follows:~~

- ~~(1) for the 2003-2004 school year, thirty thousand dollars (\$30,000);~~
- ~~(2) for the 2004-2005 school year, thirty-five thousand dollars (\$35,000); and~~
- ~~(3) for the 2005-2006 school year, forty thousand dollars (\$40,000).~~

~~History: 1978 Comp., § 22-10A-10, enacted by Laws 2003, ch. 153, § 41; 2005, ch. 315, § 7; 2005, ch. 316, § 4.~~

~~2005 amendments. — Laws 2005, ch. 315, § 7 and Laws 2005, ch. 316, § 4 enact identical amendments,~~

~~effective April 7, 2005, that delete the former provision that an applicant complete the three year level one license.~~

### **22-10A-11. Level three licensure; tracks for teachers and school administrators.**

A. A level three-A license is a nine-year license granted to a teacher who meets the qualifications for that level and who annually demonstrates instructional leader competencies. If a level three-A teacher does not demonstrate essential competency in a given school year, the school district shall provide the teacher with additional professional development and peer intervention during the following school year. If by the end of that school year the teacher fails to demonstrate essential competency, a school district may choose not to contract with the teacher to teach in the classroom.

B. The department shall grant a level three-A license to an applicant who has been a level two teacher for at least three years and holds a post-baccalaureate degree or national board for professional teaching standards certification; demonstrates instructional leader competence as required by the department and verified by the local superintendent through the highly objective uniform statewide standard of evaluation; and meets other qualifications for the license.

C. With the adoption by the department of a highly objective uniform statewide standard of evaluation for level three-A teachers, the minimum salary for a level three-A teacher for a standard nine and one-half month contract shall be as follows:

- (1) for the 2003-2004 school year, thirty thousand dollars (\$30,000);

- (2) for the 2004-2005 school year, thirty-five thousand dollars (\$35,000);
- (3) for the 2005-2006 school year, forty thousand dollars (\$40,000);
- (4) for the 2006-2007 school year, forty-five thousand dollars (\$45,000); and
- (5) for the 2007-2008 school year, fifty thousand dollars (\$50,000).

D. A level three-B license is a nine-year license granted to a school administrator who meets the qualifications for that level. Licenses may be renewed upon satisfactory annual demonstration of instructional leader and administrative competency.

E. The department shall grant a level three-B license to an applicant who has been a level three-A instructional leader for at least one year, has satisfactorily completed department-approved courses in administration and a department-approved administration apprenticeship program and demonstrates instructional leader competence required by the department and verified by the local superintendent through the highly objective uniform statewide standard of evaluation.

F. Beginning with the 2007-2008 school year, the standard contract and minimum annual salary for a level three-B school principal shall be based on the size of the school in which the school principal is employed, as follows:

- (1) for school principals of schools with two hundred or fewer students, a minimum salary of fifty-eight thousand dollars (\$58,000) for a standard ten-month contract;
- (2) for school principals of schools with two hundred one to four hundred students, a minimum salary of sixty thousand dollars (\$60,000) for a standard ten-month contract;
- (3) for school principals of schools with four hundred one to six hundred students, a minimum salary of sixty-two thousand dollars (\$62,000) for a standard ten-month contract;
- (4) for school principals of schools with six hundred one to eight hundred students, a minimum salary of sixty-four thousand dollars (\$64,000) for a standard ten-month contract;
- (5) for school principals of schools with eight hundred one to one thousand students, a minimum salary of sixty-six thousand dollars (\$66,000) for a standard ten-month contract; and
- (6) for school principals of schools with more than one thousand students, a minimum salary of sixty-eight thousand dollars (\$68,000) for a standard ten-month contract.

**History:** 1978 Comp., § 22-10A-11, enacted by Laws 2003, ch. 153, § 42; 2005, ch. 315, § 8; Laws 2005, ch. 316, § 5.

**2005 amendments.** — Laws 2005, ch. 315, § 8 and Laws 2005, ch. 316, § 5, effective April 7, 2005, except for Subsection F, enact identical amendments to provide in Subsection A that if a level three-A teacher does not demonstrate competency in a school year, the school district shall provide the teacher with professional development and peer intervention during the following school year and that if by the end of that school year the teacher fails to demonstrate competency, the school district may choose not to contract with the teacher to teach in the classroom. Subsection F of Laws 2005, ch. 316 provides that the minimum salary requirements apply to the 2007-2008 school year. Laws 2005, ch. 315 provides that the minimum salary requirements apply to the 2005-2006 school year. Pursuant to 12-1-8 NMSA 1978, this section is set out as amended by Laws 2005, ch. 316, § 5.

Laws 2005, ch. 316, § 5, effective April 7, 2005, changes the school year in Subsection F from 2005-2006 to 2007-2008.

As amended by Laws 2005, Subsection F of ch. 315, § 8, provides:

F. Beginning with the 2005-2006 school year, the standard contract and minimum annual salary for a level three-B school principal shall be based on the size

of the school in which the school principal is employed, as follows:

- (1) for school principals of schools with two hundred or fewer students, a minimum salary of fifty-eight thousand dollars (\$58,000) for a standard ten-month contract;
- (2) for school principals of schools with two hundred one to four hundred students, a minimum salary of sixty thousand dollars (\$60,000) for a standard ten-month contract;
- (3) for school principals of schools with four hundred one to six hundred students, a minimum salary of sixty-two thousand dollars (\$62,000) for a standard ten-month contract;
- (4) for school principals of schools with six hundred one to eight hundred students, a minimum salary of sixty-four thousand dollars (\$64,000) for a standard ten-month contract;
- (5) for school principals of schools with eight hundred one to one thousand students, a minimum salary of sixty-six thousand dollars (\$66,000) for a standard ten-month contract; and
- (6) for school principals of schools with more than one thousand students, a minimum salary of sixty-eight thousand dollars (\$68,000) for a standard ten-month contract.